		Yr Docket No Def	VI EXCLUDA	ABLE D	ELAY
DATE DOCUMENT NO -	<u>,</u>	86 00091 01 PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	Start Date End Date	Ltr Code	Total Days
		(QPTIONAL) Show last names of defendants V. PROCEEDINGS			
12-16-86	1.	INDICTMENT FILED			
12-17-86	2.	MOTION TO SEAL INDICTMENT - 1c Ma . Denson			**
12-19-86		INITIAL APPEARANCE (At Fayetteville) before Mag. Dixon	[Ì
		Proceedings recorded-deft. advised of al			
		rights, penalties, charges, counsel repre			
12-19-86	3.	tation and right to have crt. appt. coun ORDER Setting conditions of release-5,000. Sec		ļ	
12 17 00		(Property of Raymond and Elizabeth Steve			
		With special conditions.(Mag. Dixon)			
		Deft. to notify the crt by $12-31-86$ as t			
		his counsel representation. (Possibly Edd			
		Charlotte, NC). (Original Property Bond paperwork to R.	jh Forcum)]	
1-13-87	4.	ORDER On Pre-Trial Scheduling-parties have their pre-tr			
		discovery conference and conclude all voluntary of	iscovery		
		on or before Jan. 20, 1987. All pre-trial motion	s shall		
		be filed no later than Jan. 30, 1987. Responses	to motion	s	
		shall be filed within ten days of service of such Untimely motionsand responses may be summarily di	motions.		
		Motion hearings as necessary,, may be conducted by	v a judge	•	
		or magistrate of this court in advance of trial.			
		(Mag. McCotter) O.B.#6, P 103, cys: AUSA, Counsel		d.	'
2/3/87	5.	Ent. 1-13-87 jl ORDER- the time for filing of pretrial motions herein	1		
2/3/0/		is extended from January 30, 1987 to and include	ing		ļ
		Feb. 3, 1987; McCOTTER, Charles K., Jr., USMag.			
		cc to US Atty & def't counsel	ьь		
2-3-87		LETTER from Attorney Knox w/attached motions and APPLICATION FOR ADMISSION TO EDNC - Application given to Lore	1		
		Pinnex who will call attorney and send appropriat			}
	۷.	application form, to attorney.	_		
	6. 7.	STATEMENTPUSUANT TO LOCAL RULE - 1c: Mag. McCotte MOTION FOR DISCLOSURE OF ELECTRONIC LC: Mag. McCotte			
		SURVEILLANCE w/cs.	2-19-87		
	8.	REQUEST FOR NOTICE OF GOVERNMENT'S INTENTION - 1c: Mag. McCotte	r	_	
	^	TO USE EVIDENCE w/cs.	0 2 07		
	9.	MOTION TO COMPEL GOVERNMENT TO STATE WHETHER - 1c: Mag. McCotte ITINTENDS TO OFFER EVIDENCE UNDER RULES	r 2-3-8/ 2-19-81	-	
		404(b), 803(24) and 804(5), FEDERAL RULES	27,0		
		OF EVIDENCE AND INCORPORATED MEMORANDUM			
		OF LAW w/cs.			
	10	. MOTION FOR PRODUCTION OF PSYCHIATRIC EVALUATION 1c:McCotter OF ANY GOVERNMENT WITNESS AND INCORPORATED	2-3-87 2-19-81		
	l	MEMORANDUM OF LAW w/cs.			
	11	.MOTION TO COMPEL EARLY PRODUCTION OF GRAND JURY 1c: McCotter	2-3-87		
		TESTIMONY AND INCORPORATED MEMORANDUM OF LAW	2-19-87	_	
	12.	w/cs. lc: McCotter MOTION FOR DISCOVERY AND INSPECTION w/cs. lc: McCotter	2-3-87		
		MOTION FOR ORDER REQUIRING GOVERNMENT TO PRODUCE 1c: McCotter	$\frac{2 \cdot 3 \cdot 87}{2 - 3 - 87}$		
		GOVERNMENT WITNESSES FOR DEFENSE INTERVIEW	2-19-87		-
	,	AND INCORPORATED MEMORANDUM OF LAW W/cs	0.0.5=		
	14.	MOTION TO PRESERVE EVIDENCE AND INCORPORATED 1c: McCotter MEMORANDUM OF LAW w/cs.	2-3-87 2-/9-87	_	
	15.	MOTION FOR BRADY AND OTHER FAVORABLE MATERIALS 1c: McCotter	2-3-87		}
		AND INCORPORATED MEORANDUM OF LAW w/cs.	2-19-87		
	16.	MOTION FOR ALL JENCKS MATERIAL, EARLY DISCLOSURE 1c: McCotter	2-3-87	_	ا ۔۔ ا
		OF SAME AND INCORPORATED MEMORANDUM OF LAW w/cs. Case 3:86-cr-00091-BO Document 1 Filed 12/16/86 Page	2 of 8		
	اا	CONTINUED TO PAGE			

LETTER CODES

For identifying periods of excluding able delay par 18 USC 3161 (h) "Sections in brankers."

A Exam or hearing for mental/physical incapacity (18 USC 4244) (1) (A)]



- B NARA exam (18 USC 2902) [11; (8)]
- C State/Fed./ pro-ceedings on other charges [(1) /D/]
- D. Interlocutory ap peal [(1)(E),
- E Pretrial motion (from filing to hearing or to other prampt disposition) [(1)(F)]
- F Transfer from other district per PRCrP 20-21 or 40 or Mag Rule 6a [1](61)



- G Proceedings under advisament, not ro exceed 30 days after all noces sary submissions filed and hearings completed (11131)
- H Miso proceedings arraignment parols/ probation revocation. Deportation extra dition [[1]]
- 5Deferral of prose cution (per 28 USC 2902) F(THC)]
- 8 Transportation from another district or to 3 run examination or hospitalization in 10 days or less .(11(41))
- 7Consideration Court of propos plea agreement {(1)(1)
- 1 Prosecution deferred by mutual agreement [(2)]
- M. Unavailability of de fendant or essential witness [(3)(A,B)]
- N. Period of mental/phy-sical incompetence of defito stand trial ((41))
- © Period of NARA commitment/ireal-ment [151]
- PSuperseding indict ment and/or new charges 1(6);



- R Defi awaiting trial of coldefendant & no severance has been granted [17]
- T Continuences
 granted per (hit8)
 use "T" alone if more
 than one of the following reasons (T)
 thut T4) is given in
 support of contisupport of conti-uance [(8)(A,B)]
- T1 Failure to continue would stop further proceedings or result in miscernage of justice [{8}(B,iii)]
- T2 Case unusual or complex [(8)(8.0);



- in 30 days [(8)(8,w)]

 14. Continuence granted to obtain or substitute counsel, or give tessonable time to prepare [(8)(8,iv)]
- U. Time up to withdrawal guitty plea, 3161(-) W Grand Jury indictment time extended 30 more days, 3161 (b)

86 00091 -

AO 256	A 69	<i>V</i>	V v.	r. 1	Docket No	·	Def,
DATE		PROCEEDINGS (continued)	V. (a)		DABLE	DEI (c)	
2-3-87	17.	motion for extension of time to file - 1c: McCotter pre-trial motions w/prop. Order w/prop. Ord motion to suppress - 1c: Judge Boyle ""/cover letter	er -M≌C	2-3- 2-79 4-19 2-3-	-87	E	16
	19.	MOTION TO CONTINUE - moves to continue case from 2-17-87 setting. 1c: Judge Boyle	m	2-3-			-
2-4-87		ISSUED NOTICE TO APPEAR - set for arrgn. & trial on 2-17-87 at 10 A.M. in E.C. before Judge Boyle. 1c: U.S.A & counsel.	itty) •			
2-6-87	20.	RESPONSE TO MOTION TO CONTINUE by Atty. lc: Judge Boy	le		l l	}	
2-11-87	20.	ISSUED NOTICE TO APPEAR on Monday, February 23, 1987 at	, ,				
2 11 57	_	10:00 a.m. in New Bern, N.C. for a		I			
		hearing on Motion to Supress before					
		Magistrate McCotter - Copies to U.S.					
1	-	Attorney, U.S. Marshal, counsel of reco	rd,		l	}	
		Joyce Todd, Civil Section, New Bern		}			
		Clerk's Office & Mag. McCotter jp				ľ	
2-13-87	POR	DERED that the trial be continued from the court's crimin	a1	2-/1		مر	17
- 23 47]	session in Elizabeth City, N.C. on 2-17-87		3-9	81	1	* 1
1	}	until March 9, 1987 session in Raleigh, N.	c. I			l	
	Ì	The period of delay necessitated by this				}	
		continuance is excluded from speedy trial			ĺ		
		computation pursuant to the provisions of					
		18 U.S.C. §3161(h)(8)(A) and (b)(iv).					
ļ		(Judge Boyle) CR. O.B.#6, P. 148. Copies				l	
		to U.S. Marshal, U.S. Atty., U.S. Prob.,					
2-13-86	32 I	and Deft's counsel. RESPONSE TO PRE TRIAL MOTIONS - w/cs counsel of					
	ما	record, 1c Mag. McCotter				1	
2-19-87	33	ORDER /defendant's motion for an extension of time	111	}			
		which to file pretrial motions is ALLOWED.					
Ĭ		Responses shall be filed within 10 days of service of said motions.			ľ	ĺ	
		The motion for disclosure of electonic surv	eil	lance			
	- [isDENIED:		Lunce	,		
\		The request for Notice of Government's Inte	nti	þn	Ì	\	
		to use Evidence is DENIED. The Government is ORDERED to forthwith indi	cat	-			
		its present intention to utilize Rule 404(1			nce		
		and disclose the substance of said evidence As to Rule 803(24) or Rule 805(5) evidence	į. į.	7.401			
		As to Rule 803(24) or Rule 805(5) evidence the government states its current intention	ı no	t to		1	
		reply on Rules 803(24) or 804(5) for the i	htro) -)	Ì	
		duction of evidence at trial. Thus, the mo					
		to compel this information is DENIED.					
		√Motion for production of Psychiatric Evalu	atid	n			
- {		of any Government Witnesses-If available,	vou 1	d			
}	}	be discoverable under Brady v. Maryland, 3	73 Y).S.		}	
		83 (1963), as impeachment material, See U.		,			
		Society of Independent Gasoline Marketers	ρf				
		America, 624 F. 2d 461 (4th Cir. 1980).					
		/MOTION to Compel Early Production of Gran	d Jy	œγν			
		Testimony-is DENIED			Ì)	
i i	1) ₁		ī			

Case 3:86-cr-00091-BO Document 1 Filed 12/16/86 Page 3 of 8 Interval End Date

AO 256A

DATE	PROCEEDINGS (continued) V. EXCLUC	
	-{Document No.} (a) (b	} (c)
2-19-87	Cont'd - motion for discovery and inspection-	
2 17 07		1 1
	The government is ORDERED to forthwith comply	1 1
	with the provisions of Rule 16 and Brady v.	
	Maryland, supra. Otherwise, the motion to compel	
	as to paragraph 9 is DENIED .	
	The motion to compel as to paragraphs 21 and 14	1 1
	is DENIED.	1 1
	In paragraph 15, the deft. requests a transcript	Į Į
	of the testimony of all persons who testified before	
	the grand jury. The gov't has responded that it	
	will provide copies of grandy jury testimony of	
	trial witnesses prior to trial. This is more than	
	sufficient.	
	In paragraph 16- Since the deft. has made no showing	
	entitling him to the identity of a confidential	
	informant, the motion to compel is DENIED .	
	In paragraph 17, a motion to compel this information	1 1
	is DENIED.	
	MOTION FOR ORDER REQUIRING GOVERNMENT TO PRODUCE	
	GOVERNMENT WITNESSES FOR DEFENSE INTERVIEW-	
	with respect to those witnesses who have not refused	
	and do not refuse to speak to defense counsel, the	[]
	gov't is directed to forthwith provide the names	
	and addresses of those witnesses to defense coursel.	
	MOTION TO PRESERVE EVIDENCE- This motion is ALLOWED	
	except to the extent that evidence may unavoidably be	<i>i</i> }
	destroyed in reasonable scientific analysis. Furthermo	
	all government law enforcement officers who investiga	
	the charge in the instant case are ORDERED to retain	
	preserve during the pendency of this action all rough	
	notes taken as part of theri investigations notwithst	
	ing whether or not the contents of the said notes are	
	incorporated in official.	
	MOTION FOR BRADY AND OTHER FAVORABLE MATERIALS-	
	See treatment herein of paragraph 17 of Deft's Motion	
	for Discovery and Inspection.	
	MOTION FOR ALL JENCKS MATERIAL AND EARLY DISCLOSURE O	F
	SAME- As a motion for Jencks material is not necessar	
	the motion is DENIED	′′
	(UsS. Mag. Charles K. McCotter, Jr.) lc: AUSA, Counse	1 of
	record. O.B.#6, P.152. Ent. 2-24-87 j	
-23-87	HEARING ON MOTION TO SUPPRESS- at New Bern before US Mag. Charles	"
	W McCathan 2 22 Ca Paris deliver us mag. Charles	
	K. McCotter, 2-23-87. (C.RElizabeth Leonard) 10:00am	
	AUSA-William Webb present. The Court will recommend th	at
	the Motion to Suppress be denied.Partiesadvised of a	
	10-day/period for filing a@Nobicewof:Appeal. Adjourned	at
	12:15 p.m. jh	I I
-24-87	24. ORDER The Government asked for a stay of the	
	implemntation of this order pending appeal to the	
	district court. This provision is stayed pending	
	ruling by a district judge, provided that the	
	Government file on Febr ary 24, 1987, its.	
	written notice of appeal, Otherwise, the stay	
	is denied. CR OB # 6, p 153- Mag. McCotter	i l
	Case 3:86-cr-00091-BO Document 1, Filed 12/16/26 create 4 th 3	

Start Date

End Date

(per Section II)

Ltr. Total

Code Days

Docket No. | Def. AO 256A 6 V. EXCLUDABLE DELAY DATE PROCEEDINGS (continued) (b) | (c)| (d) -(Document No.) 2-24-87 25 ORDER -The defendant seeks to supress toll records should be denied - Suppress any controlled substances which the Government may seek to introduce - should be denied -The motion to suppress the consensual interceptions should be denied -The motion to suppress statements of indicted and undicted co-conspirators should be denied This Memorandum and Recomendation entered This 23rd day of Fr ary 1987. 154 cys to U.S. Atty, 1c Mr. Knox (ent. 2-24-87) ms ISSUED NOTICE Written objections in accordance with this rule are filed within ten days after receipt of this memorandum and recommendation. 2-24-87 ms Set for Arrgn. & Trial on 3-9-87 2-23-87 ISSUED NOTICE at Raleigh at 10 A.M. before Judge Boyle - 1c: U.S. Atty & Mr. Knox APPEAL FROM MAGISTRATE'S ORDER-3-2-87 A. MOTION NUMBER THREE: REQUEST FOR NOTICE OF GOVERNMENT'S INTENTION TO USE EVIDENCE. B. MOTION NUMBER FOUR: MOTION FOR PRODUCTION OF PSYCHIATRIC EVALUATION OF ANY GOVERNMENT WITNESS. C. MOTION NUMBER FIVE: MOTION TO COMPEL EARLY | PRO DUCTION OF GRAND JURY TESTIMONY. (MEMORANDUM OF LAW) D. MOTION NUMBER SIX: MOTION FOR DISCOVERY AND INSPECTION. E. MOTION NUMBER SEVEN: MOTION FOR ORDER REQUIRING GOVERNMENT TO PRODUCE GOVERNMENT WITNESSES FOR DEFENSE INTERVIEW. F. MOTION NUMBER NINE: MOTION FOR BRADY AND OTHER FAVORABLE MATERIALS. G. MOTION NUMBER TEN: MOTION FOR ALL JENCKS' MATERIAL AND EARLY DISCLOSURE OF SAME. W/cs 1c: (by: H. Edward Knox) 1c: Judge Boyle MOTION FOR SEVERANCE OF DEFENDANTS- by H. Edward Knox w/\$s 3-2-87 jh lc: Judge Boyle MOTION FOR SEQUESTRATION OF WITNESSES-by: H. Edward Knox 3-2-87 1c: Judge Boyle jh w/cs w/cs by: H. Edward Knox 3-2-87 MOTION TO CONTINUE 1c: Judge Boyle jh PROPOSED VOIR DIRE QUESTIONS by: H. Edward Knox 3-4-87 jh lc: Judge Boyle by: Mitchell Stevens, Deft. WAIVER OF APPEARANCE 3-4-87 jh 1c: Jduge Boyle MOTION FOR EXTENSION OF TIME w/cs by: H. Edward Knox 3-4-87 jh lc: Judge Boyle MOTION IN LIMINE UNDER SEAL- by: William Webb, AUSA 3-4-87 with attached Affidavit. lc: Judge Boyle lih by: William A. Webb MOTION TO SEAL-3-4-87

Case 3:86-cr-00091-BO Document 1 Filed 12/16/86 Page 5 of 8 Interval

UN CR

NITED STATES RIMINAL DOCI AO 256A	DISTRICT COURT
DATE	PROCEEDINGS -{Document No.}
3-6-87 3-6-87 3-6-87	PROPOSED JURY INSTRUCTIONS MOTION TO STRIKE w/cs- by CRDER that the Moiotn I:

DATE	PROCEEDINGS (continued) V. EXCLUDABLE DELA
DATE	[ia] [ib) [ic) [id]
2 (97	-(Document No.)
3-6-87	PROPOSED JURY INSTRUCTIONS by: H. Edward Knox-1c Judge Foy1 jh
3-6-87	MOTION TO STRIKE w/cs- by H. Edward Knox - 1c: Judge Boyle jh
3-6-87	CRDER that the Moiotn In Limine in the above-captioned
	case abe sealed by the Clerk. (Judge Terrence V.
	Boyle) 1c: AUSA, Counsel of Record. O.B.#6, P. 173 jh
3-9-87	GOVERNMENT'S RESPONSE TO MOTIONS-
	MOTION FOR SEQUESTRATION OF WITNESSES
	MOTION FOR SEVERANCE OF DEFENDANTS
	APPEAL FROM MAGISTRATE'S ORDER
	MOTION TO CONTINUE
	(By: William A. Webb, AUSA) w/cs lc: Judge Boyle jh
3-9-87	GOVERNMENT'S PROPOSED QUESTIONS OF VOIR DIRE-
	by: William Webb, AUSA - w/cs lc: Jduge Boyle jh
3-9-87	MOTIN IN LIMINE by H. Edward Knox w/cs 1c: Jduge Boyle jh
3-9-87	GOVERNMENT' PROPOSED JURY INSTRUCTIONS: w/cs
	by: William A. Webb, AUSA lc: Judge Boyle jh
3-9-87	ORDER the Court hereby Orders that the defendant's
,	motion for a continuance be DENIED . (Judge Terrence
3-10-87	W. Boyle) 1c: AUSA, Counsel of Record, O.B.#6, P.175 jh JURY SELECTION 9:30AM until 12:45PM
3-10-87 3-10-87	
3-10-87	JURY IMPANELED 2:30 PM JURY TRIAL BEGINNING 2:30PM
2-10-01	
	Opening Statement by the Government
	(William Webb) 2:47PM/3:00PM
	Opening Statement by the Defense Counsel
	(H. Eddie Knox) 3:01PM/3:25PM
	Recess: 3:25/3:35
	TRIAL PROCEEDED AT 3:35pm jh
3-16-87	MOTION Defendants Motion to Dismiss charges denied. jh
3-18-87	MOTION DENIED as to the Acquittal of Counts 1 & 2 of the
	Indictment. jh
	MOTION ALLOWED as to the Acquittal of Count 5 & 6 of the
	Indictment. jh
3-19-87	AT THE CLOSE OF ALL EVIDENCE (NO REBUTTLE BY THE GOVERNMENT)
	Defense renew Motion for Acquittal as to Counts
	1 & 2. MOTION DENIED. jh
3-19-87	OPENING SUMMATION FOR CLOSING ARGUMENTS-by: William Webb, AUSA
	1:04PM - 1:40PM jh
	CLOSING ARGUMENT BY DEFENSE COUNSEL- H. Eddie Knox, Counsel
	1:48PM - 2:40PM jh
	CLOSING ARGUMENT BY DEFENSE COUNSEL- Allen Brotherton
	2:40PM - 3:00PM jh
	CLOSING ARGUMENT BY THE Government- William Webb, AUSA
	3:00PM - 3:18PM jh
3-19-87	JURY RETIRED 4:15PM - recessed 5:35PM to return 3-20-87
	at 9:00AM.
3-20-87	JURY CONTINUED DELIBERATION 9:03AM jh
3-20-87	VERDICT RETURNED - 11:15AM
	NOT GUILTY as to Count 1,
	NOT GUILTY as to Count 2.
	(Kimber S. Dawson, Foreperson) jh
3-20-87	JUDGMENT AND PROBATION/COMMITMENT ORDER-
	AT RALEIGH BEFORE JUDGE TERRENCE W. BOYLE
	Case 3:86-cr-00091-BO Document 1 Filed 12/16/86 in Profile 6 Synt Date Ltr. To
	their protition at 1 Euro Date Code D

AO 256A	• <u>/</u>	(Y	<u>'</u>	Docket N	o	Def
DATE	PROCEEDINGS (continued)	V. (a)	EXCL	UDABLE		LAY (d)
3-20-87	CONT'D Plea of NOT GUILTY-	10,		10.)	_,,,	10.
3-20-67	March 18, 1987, prior to jury deliberation Judge	ient			·	l
	of Acquittal Allowed as to Counts 5 & 6 - using					
	a communications facility to facilitate a drug					
	felony ~ 21USC, §843(b) & (c).					
	THERE BEING A VERDICT OF NOT GUILTY.				ļ	
	Defendant has been found NOT GUILTY of the offer			}	l	
	of COUNT 1 - conspiracy to posses with intent t) 				
	distribute and distribution of cocaine, Schedul	TT 6				
	narcotice controlled substance - 21 U.S.C., §84 COUNT 2- possession with intent to distribute c) Scai	ne		- 1	
	and aiding & abetting 21 U.S.C., §846(a)(1) & 1	R	110	}	\ \ \ \ \	1
	U.S.C., §2.				- 1	
	(Judge Terrence W. Boyle) lc: AUSA, USM, Probat	ion,				
	Counsel of Record, Deft. Judge Boyle. Ent. 3-26	-87	jh			
-5-87	ORIGINAL Deed of Trust and Promissory Note marked as obligat					
	satisfied and mailed certified mail to Mr. David))	
	F. Branch, Jr Copies for the file.	jı	•			
8-14-87	RETURNED ORIGINAL NOTICE OF SATISFACTION OF DEED OF TRUST-				}	
	(J. Rich Leonard, Clerk) to: Lee & Lee-407 Elm St	,				
	Lumberton, NC 28359. jh		ı		\	l
-28-87	GOVERNMENT received exhibits that were admitted at trial					
	except for Exhibit #19 (Map) - received by U.S.				- 1	
	Attorney's office - Connie Rains	jр				
8-26-88	TRANSCRIPT - Testimony of Johnny Lee Jones at Ral March 11 8	12	,			
	1987 Before J. Boyle and Jury	I)	1	
	(C.RDonna J. Tomawski) jh	7				
8-26-88	TRANSCRIPT - PARTIAL TRIAL TESTIMONY at Ral, March 10, 16, 1	′,				
	1987 Before J. Boyle and Jury (C.RDonna Tomawski) jh					
8-26-88	TRANSCRIPT - Testimony of John Delton Looklear and Mitchell			1	ĺ	
0-20-00	Stevens at Ral March 16-19, 1987 Before	Ì	I			
	J. Boyle and Jury (C.RDonna Tomawski)	jh			- 1	
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UNITED STATES DISTRICT COURT CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (1-1-4)	ן v.	EXCLUDABLI	E DE	AY
DATE	PROCEEDINGS (continued) -(Document No.)	(a)	(b)		(d)
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	Case 3:86-cr-00091-BO Document 1 Filed 12/16/86 cc	የ	OState Date	Ltr. Code	Total
	Case 3.00-ci-000st-DO Document 1 Filed 12/10/203eci	(io쌈A는	U End Date	Code	Days